

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1650

By: Quinn and Nelson

4
5
6 AS INTRODUCED

7 An Act relating to public finance; amending 62 O.S.
8 2001, Section 45.1, as amended by Section 4, Chapter
9 301, O.S.L. 2003 (62 O.S. Supp. 2010, Section 45.1),
10 which relates to the Oklahoma Program Performance
11 Budgeting and Accountability Act; modifying
12 submission of certain report by certain agencies;
13 providing penalty for failure to comply; providing an
14 effective date; and declaring an emergency.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 62 O.S. 2001, Section 45.1, as
17 amended by Section 4, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2010,
18 Section 45.1), is amended to read as follows:

19 Section 45.1 Sections 45.1 through 45.10 of this title shall be
20 known and may be cited as the "Oklahoma Program Performance
21 Budgeting and Accountability Act". All state agencies are to
22 prepare and submit their budgetary systems in a program format. In
23 addition, all state agencies are to collect and identify data to
24 measure performance of their programs. Any state agency that
operates without funds appropriated by the Legislature and fails to
produce and submit any reports required by the Oklahoma Statutes in

1 the manner prescribed by law shall be subject to a penalty of one
2 percent (1%) for the first violation, two percent (2%) for the
3 second violation, and five percent (5%) for any subsequent
4 violations, of the agency's fee revenue which shall be apportioned
5 to the General Revenue Fund of the State Treasury to support the
6 functions of the State Auditor and Inspector. Any such state agency
7 that is delinquent for more than thirty (30) days shall be subject
8 to an audit at the agency's expense for the purpose of producing and
9 submitting the reports. The cost of an audit shall be paid to the
10 State Auditor and Inspector. If the State Auditor and Inspector is
11 unable to or does not complete the audit within ninety (90) days,
12 the Legislative Service Bureau shall perform the audit and the cost
13 of the audit shall be paid to the Legislative Service Bureau. For
14 purposes of calculating the amount of any penalty, the agency shall
15 submit necessary computations to the Office of State Finance, and
16 the Office of State Finance shall take such steps to cause the
17 revenue of the affected agency to be reduced accordingly. The
18 Office of State Finance shall prepare a list of state agencies that
19 violate this section to be published annually on the website of the
20 Office of State Finance.

21 Implementation of this act shall be designed to better
22 prioritize state funding needs, reduce program duplication, enhance
23 budgeting information necessary to improve the efficiency of state
24 operations and improve state services to the public.

1 SECTION 2. This act shall become effective July 1, 2011.

2 SECTION 3. It being immediately necessary for the preservation
3 of the public peace, health and safety, an emergency is hereby
4 declared to exist, by reason whereof this resolution shall take
5 effect and be in full force from and after its passage and approval.

6
7 53-1-6436 LRB 01/19/11
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24